

November 7, 2005

GENERAL ACCOUNT AND CLOSED SESSION MINUTES
Monday, November 7, 2005

At the meeting of Monday, November 7, 2005, at 10:33 a.m., upon a motion by Commissioner Barbara Beatty, and unanimously carried, the Board, in accordance with North Carolina General Statute 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; and 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of initial employment of an individual public officer or employee or prospective public officer or employee.

Present were Chair Katherine W. Barnes, Vice-Chair Dan Hunsucker, Commissioners Glenn E. Barger, Barbara G. Beatty and Lynn M. Lail. Also present were County Manager J. Thomas Lundy, Assistant County Manager Joellen Daly, Assistant County Manager Lee Worsley, County Attorney Robert Oren Eades, Attorney Anne Marie Pease and County Clerk Barbara E. Morris.

Use of the County Seal – NCGS 143-318.11(a)(3) to consult with an attorney to preserve attorney-client privilege.

On July 13, 2005, Catawba County obtained service mark protection of its County Seal. As the holder of the service mark for the seal, the County is authorized to control the manner in which the seal is used. County Attorney Robert Eades advised the Commissioners on the uses of the seal – commercial and non-commercial – and suggested possible content-neutral standards to be adopted for proposed uses of the seal. He advised the Board of the consensus of the other counties in North Carolina regarding the use of their service marked seals which was to restrict the use of the County Seal to official County purposes. Attorney Eades recommended Catawba County also follow this practice which was consistent with the general opinion of the School of Government.

This matter is scheduled to be heard by the Policy and Public Works Subcommittee on November 14, 2005 and if approved by the subcommittee, then acted upon at the November 21, 2005 Board of Commissioners meeting.

At 11:00 a.m., Assistance County Manager Joellen Daley, Assistant County Manager Lee Worsley, Attorney Anne Marie Pease and County Clerk Barbara Morris left the closed session.

Performance – NCGS 143-318.11(a)(6).

The Commissioners conducted a performance evaluation of County Attorney Robert Oren Eades.

At 11:26 a.m., the Board returned to regular session.

Katherine W. Barnes, Chair

Barbara E. Morris, County Clerk